

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

LUIS ALBERTO VARGAS-FLORES

CASE NUMBER: 25CR-28

FILED

5/30/2025

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about May 8, 2025, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant(s) violated:

Code Section

Title 8, United States Code, Sections 1326(a), (b)(1), and Title 6, United States Code, Section 202(4)

Offense Description

being an alien who previously had been deported and removed from the United States on or about August 16, 2017 was present and found in the United States without previously having obtained the express consent of the Secretary of the Department of Homeland Security for reapplication by defendant for admission into the United States

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

/s/ Craig Fagan (MDW with consent)

CRAIG FAGAN
Special Agent
Homeland Security Investigations

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephone.

Date: 5/30/2025

M. David Weisman

Judge's signature

City and state: Chicago, Illinois

M. DAVID WEISMAN, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, CRAIG FAGAN, being duly sworn, state as follows:

1. I am a Special Agent with the Department of Homeland Security (DHS) Homeland Security Investigations (HSI) and have been so employed since approximately September 11, 2023. Prior to that, I served as a sworn uniformed police officer for the Chicago Police Department. I am currently assigned to HSI Chicago Homeland Security Task Force (HSTF), and my responsibilities include criminal investigations, including those involving organized criminal and gang activity, international money laundering, narcotics trafficking, and investigations involving criminal aliens.

2. This affidavit is submitted in support of a criminal complaint alleging that Luis Alberto VARGAS-FLORES has violated Title 8, United States Code, Section 1326(a) and Title 6, United States Code, Section 202(4), Reentry of Removed Alien, by being present and found in the United States after having been deported, and is subject to the enhanced penalty provision set forth in 8 U.S.C. § 1326(b)(1) because defendant was previously deported following two felony convictions. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging VARGAS-FLORES with illegal reentry into the United States by a deported alien, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are

necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. The facts set forth in this affidavit are based on my personal knowledge, my training and experience, my review of records maintained by Immigration and Customs Enforcement (ICE), other components of the Department of Homeland Security (DHS), and other government agencies, and information provided to me by various law enforcement personnel and witnesses.

FACTS SUPPORTING PROBABLE CAUSE

4. According to DHS records, VARGAS-FLORES is a native and citizen of Mexico and has no claim to United States citizenship or lawful permanent residence. DHS records reflect that VARGAS-FLORES was born in Mexico on November 2, 1990 and originally entered the United States at an unknown place and an unknown time without being inspected, admitted, or paroled by United States immigration authorities.

5. According to Illinois criminal history records, on or about December 3, 2010, VARGAS-FLORES was convicted in the Cook County Circuit Court in Chicago, Illinois for aggravated driving under the influence of alcohol/drugs (DUI) in violation of Chapter 625, Illinois Compiled Statute, Section 5.0/11-501-A. VARGAS-FLORES was sentenced to 18 months' probation and 52 days of incarceration in the custody of the Illinois Department of Corrections.

6. According to Illinois criminal history records, on or about July 16, 2014, VARGAS-FLORES was convicted in the Cook County Circuit Court in Chicago,

Illinois for aggravated driving under the influence of alcohol/drugs (DUI) in violation of Chapter 625, Illinois Compiled Statute, Section 5.0/11-501-A. VARGAS-FLORES was sentenced to 24 months' probation.

7. According to DHS records, on or about March 22, 2013, VARGAS-FLORES was ordered removed from the United States to Mexico by an Immigration Official. According to DHS records, on or about August 16, 2017, VARGAS-FLORES was removed from the United States to Mexico at or near Alexandria, Louisiana.

8. Additionally, DHS records reflect that VARGAS-FLORES has not applied for or received permission from the Secretary of the Department of Homeland Security to reenter the United States.

9. On or about March 19, 2025, HSI received an investigative lead from the United States Postal Inspection Service (USPIS) about VARGAS-FLORES. Subsequent law enforcement database queries revealed VARGAS-FLORES was illegally present in the United States and living in Chicago, Illinois after having been previously deported.

10. On April 25, 2025, HSI Chicago retrieved VARGAS-FLORES's full immigration record (A-File) from the United States Citizenship and Immigration Service (USCIS). Present in the A-File was immigration form I-205 containing the fingerprint of VARGAS-FLORES collected upon his removal in August of 2017.

11. On or about May 8, 2025, at approximately 2:25 pm law enforcement approached VARGAS-FLORES in Chicago, Illinois and arrested him pursuant to an outstanding administrative arrest warrant for immigration violations.

12. On May 8, 2025, HSI/ERO Chicago collected VARGAS-FLORES's fingerprints. The prints were recorded on FBI form FD-249.

13. On May 15, 2025, HSI Chicago sent a fingerprint examination request to the HSI Forensic Laboratory to determine if the fingerprints recorded on the I-205 and the FD-249 were taken from the same individual. On May 19, 2025, the HSI Forensic Laboratory determined that the fingerprint impressions contained in both submitted documents were made by VARGAS-FLORES.

CONCLUSION

14. Based on the foregoing, I respectfully submit that there is probable cause to believe that on or about May 8, 2025, at Chicago, Illinois, in the Northern District of Illinois, Eastern Division, VARGAS-FLORES, being an alien who was last removed from the United States on or about August 16, 2017, was found in the United States without previously having obtained the express consent of the Secretary of the Department of Homeland Security, for reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326(a), and Title 6, United States Code, Section 202(4).

FURTHER AFFIANT SAYETH NOT.

/s/ Craig Fagan (MDW with consent)

CRAIG FAGAN
Special Agent
Homeland Security Investigations

SWORN TO AND AFFIRMED by telephone May 30, 2025.

M. David Weisman
Honorable M. DAVID WEISMAN
United States Magistrate Judge